
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

MAURICE J. JOHNSON,

Petitioner,

versus

JOHN B. FOX,

Respondent.

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CIVIL ACTION NO. 1:07-CV-559

**MEMORANDUM ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Maurice J. Johnson, an inmate confined within the Bureau of Prisons, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court.

The respondent has filed a motion to dismiss or, in the alternative, for summary judgment. Treating the motion as a motion for summary judgment, the magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the motion be granted.

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. No objections to the Report and Recommendation were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. The respondent's motion for summary judgment is hereby **GRANTED**. A final judgment will be entered denying the petition.

SIGNED at Beaumont, Texas, this 30th day of May, 2008.

A handwritten signature in cursive script, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE